



PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/764,177
		Filing Date	1/23/2004
		First Named Inventor	Tengler et al.
		Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	4	Attorney Docket Number	PHFB:1007

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO Form SB/08a; Return Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Edwin Flores Chalker Flores, LLP
Signature	
Date	March 18, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Type or printed name	Edwin Flores		
Signature		Date	March 18, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

MAR 22 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Tenger et al.

Serial No.: 10/764,177

Filed: 1/23/2004

Title: Dynamic Variable Release Technology

Attorney File No.: PHFB:1007

Group Art Unit:

Examiner:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

☒ under 37 CFR 1.97(b), or (Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)

☐ under 37 CFR 1.97(c) together with either a:

☐ Statement under 37 CFR 1.97(e), or

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with a:

☐ Statement under 37 CFR 1.97(e), and

☐ a \$180.00 fee set forth in 37 CFR 1.17(p).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

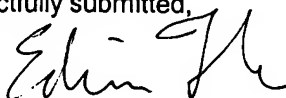
I hereby certify that this Correspondence is being deposited with the United States Postal service with sufficient postage for first class mail in an envelope address to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or the correspondence is being facsimile transmitted to the USPTO, on the date indicated below.

Date of Deposit: March 18, 2004

Typed Name: Edwin Flores

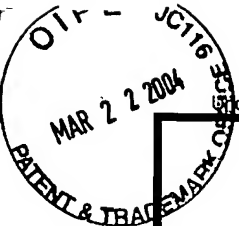
Signature: 

Respectfully submitted,



Edwin Flores
Attorney/Agent for Applicant(s)
Reg. No. 38,453

Date: March 18, 2004
Telephone No.: (214) 866-0001



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/764,177
				Filing Date	1/23/2004
				First Named Inventor	Tengler et al.
				Art Unit	
Examiner Name					
Sheet	1	of	1	Attorney Docket Number	PHFB:1007

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		2003/0130263 A1	7/10/03	Hirsch	
		2003/0114535 A1	07/19/03	Redkar, et al.	
		2003/0114391 A1	07/19/03	Redkar, et al.	
		2003/0104013 A1	06/05/03	Loria, et al.	
		2003/0099711 A1	05/29/03	Meadows, et al.	
		2003/0077321 A1	04/24/03	Kiel, et al.	
		2003/0060422 A1	03/27/03	Venkataraman	
		2003/0050252 A1	03/13/03	Kiel, et al.	
		2002/0151541 A1	10/17/02	Pairat, et al.	
		2002/0044968 A1	04/18/02	van Lengerich	
		2002/0006440 A1	01/17/02	Cherukuri	
		6,569,463 B2	05/27/03	Patel, et al.	
		6,509,492 B1	01/21/03	Venkataraman	
		6,462,094	10/08/02	Dang, et al.	
		6,383,471 B1	05/07/02	Chen, et al.	
		6,372,252	04/16/02	Blume, et al.	
		5,827,852	10/27/98	Russell, et al.	
		5,824,638	10/20/98	Burnside, et al.	
		5,759,579	06/02/98	Singh, et al.	
		5,648,358	07/15/97	Mitra	
		5,643,909	07/01/97	Pfister, et al.	
		5,458,879	10/17/95	Singh, et al.	
		5,354,556	10/11/94	Sparks, et al.	
		5,112,817	05/12/92	Fukazawa, et al.	
		5,025,019	06/18/91	Sunshine, et al.	
		4,996,047	02/26/91	Kelleher, et al.	
		4,952,402	08/28/90	Sparks, et al.	
		4,840,962	06/20/89	Sunshine, et al.	
		4,762,709	08/09/88	Sheumaker	
		4,749,723	06/07/88	Sunshine, et al.	
		4,749,720	06/07/88	Sunshine, et al.	
		4,749,700	06/07/88	Wenig	
		4,749,697	06/07/88	Sunshine, et al.	
		4,695,467	09/22/87	Uemura, et al.	
		4,619,934	10/28/86	Sunshine, et al.	
		4,559,237	12/17/85	Meier, et al.	
		4,309,405	01/05/82	Guley, et al.	
		4,309,404	01/05/82	DeNeale, et al.	
		4,248,857	02/03/81	DeNeale, et al.	
		4,186,465	02/05/80	Manning	
		4,038,434	07/26/77	Young	
		3,637,772	01/25/72	Klaui, et al.	
		3,573,936	04/06/71	Karchmar, et al.	
		2,707,154	04/26/55	Lehmann, et al.	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)					

Examine Signature		Date Considered	
----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated